

# **AGENDA**

## **Pre-rulemaking Workshop Regarding 30 Day Filing Procedures**

Indiana Utility Regulatory Commission (“IURC” or “Commission”)

Tuesday, June 12, 2007, at 2:00 p.m. in Suite 220, Room 222

I. **Introduction** – Beth Krogel Roads, bkroads@urc.in.gov – (317) 232-2092

### **A. Explanation of Rulemaking Process and Role of Pre-rulemaking Workshops**

1. Rulemaking Process
  - Min. 6 months; max. 12+ months
  - Official process begins with publication of the Notice of Intent
  - Proposed Rule approved by IURC and published
  - Notice and Public Hearing; comments
  - Final Rule approved by IURC, Attorney General’s Office, and Governor’s Office
  - Rule is effective 30 days after approved Final Rule is filed with the Indiana Register
2. Pre-rulemaking Workshops
  - Purpose is to identify and get valued input on issues relating to the rulemaking before official process and time deadlines begin.
  - Note: You do not need to be registered as an Executive Branch Lobbyist in order to participate in IURC pre-rulemaking workshops, as two different exceptions apply: (1) the IURC has solicited your input and keeps the required records, and (2) the pre-rulemaking workgroup only acts in an advisory position.

### **B. Purpose of this Proposed Rulemaking**

1. Internal changes at IURC re: how filings are handled
2. Compliance with basic Due Process and principles of open government
3. Filing procedures being known and readily accessible
4. Notice of filings – to affected customers
5. Keeping an expedited non-docketed process for review by Commission technical staff of tariff-related filings
  - In order to be non-docketed, only determinations that are appropriate for technical staff should be included in the process.

## **II. Group Discussion**

### **A. Listing of Issues**

### **B. Non-exclusive List of Possible Issues**

- Purpose and Scope of Rule
- Allowable Filings and Prohibited Filings – the intent is to continue to allow those filings that are currently being filed under existing procedures. Possible issues are whether additional language is needed to accomplish that and what that addition language should be.
- Controversy – pursuant to Indiana Code 8-1-1-5(a), the Commission shall be an impartial fact-finding body in “all controversial proceedings.” Consequently, only non-controversial filings are appropriate for the 30 day filing process.
- Objections – any standing or other requirement that may narrow the scope of the objections section must (1) be readily ascertainable, (2) not require more than minimal additional evidence, and (3) not require a determination by an ALJ or by the Commission.

## **III. Set Date for Next Workshop**

***Thank You for Your Participation!***